

# Conceptions of Sexual Freedom in Marcuse, Foucault and Rubin

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**Abstract:** LGBT movements over the past 40 years have gone from victory to victory, to an extent that would have seemed almost unimaginable at the time of the 1969 Stonewall rebellion. Yet many LGBT people are not entirely happy with the world we have won. The problem lies with the form the victories take and the context within which they are embedded. This discussion looks at how sexual freedom is conceptualised by three prominent theorists – Herbert Marcuse, Michel Foucault and Gayle Rubin - as a way of rethinking what a productive notion of sexual freedom might be.

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LGBT movements over the past 40 years have gone from victory to victory, to an extent that would have seemed almost unimaginable at the time of the 1969 Stonewall rebellion. The fact that same-sex sexual acts are now legal in all but a minority of countries may not seem out of line with global trends since the Second World War. But given the furious opposition that the first anti-discrimination laws provoked only a few short decades ago, the fact that the UN Human Rights Council in 2011 by majority vote endorsed protection of sexual minorities is a milestone. Moreover, legal recognition of same-sex partnerships has been won or is being seriously considered today not only in Denmark, South Africa and Argentina, but even in Iowa and Nepal. Surely the scope of the freedom that LGBT people have achieved in a few short generations exceeds almost anyone's expectations. By comparison with the 1960s and 1970s, when gay liberation 'touched very few', as John D'Emilio has observed, beginning in the 1990s 'the world turned' for millions of LGBT people.<sup>2</sup>

Yet many LGBT people are not entirely happy with the world we have won.<sup>3</sup> It's not just that there have been, and still are, backlashes. The problem is more the form the victories take and the context within which they are embedded. LGBT people may in a sense be freer today in much of the world than they once were. But it's hard to imagine gay activists in 1969 being enthused about gay men's freedom to serve in

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2 D'Emilio 2002, p. ix.

3 The phrase echoes Weeks 2007.

the US military, or about affluent same-sex couples' freedom to save on their estate and income taxes through same-sex marriage. Given the inspiration those activists drew from black and immigrant struggles, they would presumably have been distressed, if not appalled, to see how LGBT people and immigrants are being pitted against each other today in much of Europe, or how LGBT people are being pitted against Africans and Arabs on a global scale. And the freedom LGBT people enjoy today is constrained by a marketplace that is much more hospitable to people with money than to those without.

Sexual freedom has also proved to be problematic in many people's personal lives. When community can be counted on less, sexual passion and partnerships tend to be counted on more – and this is not good for them. As Bolshevik commissar for social affairs Alexandra Kollontai warned a century ago, people in an alienating society often cling 'in a predatory and unhealthy way to illusions about finding a "soul mate" ... as the only way of charming away, if only for a time, the gloom of inescapable loneliness'.<sup>4</sup> For many people today, freedom turns out to mean freedom to choose between fleeting encounters, punctuated by loneliness, and longer-term partnerships that do not give them enough time or scope to flourish as individuals. And to the extent that they can rely less for emotional and practical support on their families of origin, LGBT people are particularly dependent on friends, and are therefore particularly harmed by what Alan Sears has described and documented as the 'falling rate of friendship' in contemporary capitalism.<sup>5</sup>

The dilemmas and dissatisfactions surrounding sexual freedom are illustrative of the enormous diversity of people's conceptions of it, among scholars, activists and people in general. My own approach to defining it is based on my experience of LGBT activism (on and off) for the past 35 years – the victories that have been won, but also the impasses we face and the frustrations they bring. These have led me to take another look at the ways we define sexual freedom, consciously or unconsciously.

A decade before the Stonewall rebellion, Isaiah Berlin distinguished in an influential essay between 'negative freedom' (or 'political liberty') and 'positive freedom', between freedom as the absence of coercion and freedom as the possession of those means necessary to actually meet one's needs and attain one's desires.<sup>6</sup> Although Berlin was chiefly concerned with economics and politics, his distinction is relevant to sexual freedom as well. The victories won so far by movements for sexual freedom have mostly been in the realm of negative freedom: eliminating either criminal penalties that interfered with people's pursuing their sexual desires, or forms of discrimination that indirectly had the same effect. The rebels at Stonewall certainly wanted this kind of negative freedom – specifically, the freedom to have a drink in a gay bar without being carted off by the police – but the Gay Liberation Fronts that the rebellion spawned called for a far more expansive kind of freedom. The question is what remains of that more expansive vision today.

To answer this question, I will look particularly at the definitions given by three prominent theorists: Herbert Marcuse, Michel Foucault and Gayle Rubin. I'm es-

4 Kollontai 1978, p. 240.

5 Sears 2006/7, pp. 36–7.

6 Berlin 1969.

pecially interested in the different ways each of them define sexual freedom in relation to repression, whether psychic, social or political. I would say that Rubin is particularly useful in emphasising the ways in which defending sexual freedom still requires combating repression. In Berlin's terms, hers is the most negative version of freedom, the one most focused on the fight against 'sex-negativity' and constraint. Foucault, as is well known, challenges what he calls the 'repressive hypothesis', and tries to define freedom on a different, more positive basis. But ultimately, Foucault's vision of sexual freedom calls simply for the multiplication of sexual desires and practices, without much reference to their meaning or content. As for Marcuse, while he predates the other two, I think he still offers ways of analyzing repression and freedom that go beyond what either Rubin or Foucault has to offer, to lay a more solid foundation for a positive and substantive understanding of freedom.

Another distinction that sheds some light on these three theorists' different approaches to sexual freedom concerns the forms of freedom each of them focuses on. In this respect, although Rubin is particularly concerned with the development and operation of the law, none of the three is interested narrowly in political liberty as Berlin defines it, in the mere presence or absence of legal and political constraints. Rubin and Foucault focus particularly on sexual liberty most strictly defined: people's ability to engage in specific sexual practices, and the institutional apparatuses (religious, medical and psychiatric as well as state) that hinder it. While interested in specific practices and 'perversions' (a word that is not pejorative in his work), Marcuse is equally fascinated by the psychic, cultural and social factors that contribute to the formation and development of people's desires and give a broader meaning to their freedom.

Rubin, by contrast, is far less interested in how desires arise, and more in how they are repressed. As a leading foremother of contemporary queer theory, she has paid ample attention to repression in its most blatant manifestations. She sees sex-negativity as pervasive. She has returned again and again to the analytic matrix of 'an extremely punitive social framework' that she portrays as structuring sexuality.<sup>7</sup> Her work highlights the ongoing reality of sexual repression. And she has done a great service to historians with her catalogues of atrocities against sexual deviants.

But Rubin's work doesn't fully take account of some of Foucault's central insights. Foucault shows that repression is only one of several mechanisms that shape and constrain sexuality in the interests of maintaining power relations. He sees that sexuality is constructed through continual processes of 'the stimulation of bodies, the intensification of pleasures, the incitement to discourse, the formation of special knowledges, the strengthening of controls and resistances'. He thus puts in question what he calls the 'repressive hypothesis'. He makes clear that power shapes sexual life through 'polymorphous techniques': as much by inciting, intensifying, redefining, categorising and regulating sexual forms as by rejecting, blocking and invalidating them.<sup>8</sup>

Rubin is justified in citing Foucault's statement that he aims less at dismissing the repressive hypothesis as 'mistaken' than at 'putting it back within a general econ-

7 Rubin 2011, pp. 147.

8 Foucault 1980, pp. 105–6, 11.

omy of discourses on sex'.<sup>9</sup> But she goes too far towards restoring repression to the central place from which Foucault dislodges it. Recent historians have shown that many of the most notoriously sex-negative societies of the last few centuries were not really as sex-negative as their reputations. John D'Emilio and Estelle Freedman have shown this for the Massachusetts Puritans, Peter Gay for the English Victorians, and Dagmar Herzog even for the Nazis.<sup>10</sup> The powers that be always have many other, more subtle means at their disposal than repression for disparaging, discouraging or regulating sexual dissent and deviance. This vindicates Foucault's assertion that as a core explanation, repression does not stand up very well.

Rubin's approach since the early 1980s has been to define sexuality as a 'vector of oppression' with 'its own intrinsic dynamics', not comprehensible in terms of class, race, ethnicity, or gender.<sup>11</sup> In fact, recognising the reality of repression does not in itself bring us any closer to identifying the direction of a vector of sexual oppression at a specific historical moment, or the logic structuring at a specific historical moment a hierarchy of sexualities – because the direction of the vector and the logic of the hierarchy are usually external to the sexual realm. They reflect the interests and ideologies of dominant economic, social and political forces. And combating the power of those forces demands far more than the 'campaign against prohibitions' that sexual politics has largely been reduced to since the 1970s.<sup>12</sup>

For this reason, Foucault mocked the idea that merely speaking about sex was somehow transgressive and subversive, hastening the advent of a better future. He urged a 'counterattack against the deployment of sexuality' that, rather than focusing on the free expression of sexual desire, would 'counter the grips of power with the claims of bodies, pleasures, and knowledges, in their multiplicity and their possibility of resistance'.<sup>13</sup> Here in fact Foucault, Rubin and Marcuse converge in defending those sexual practices that are most 'perverse' in the eyes of the dominant forces.

Foucault's sceptical spirit can help us look back to the sexual radicalism of the 1970s not only with nostalgia but also with a critically honed historical sense. Certainly there is much to celebrate in the experimentation and transgressive spirit of the 1970s, before AIDS and a growing conservatism reined it in. The impulse to rebel against the mimicking of heterosexual romance and family formation is even timelier today than it was 40 years ago. Having multiple sexual partners and a wide range of sexual practices are hard-won rights that should be defended, and state interference with such rights should be intransigently resisted. With the benefit of hindsight, however, we see that these rights can be compatible with marital domesticity, a mainstream career and a lifestyle founded on consumption.

The question is then, how can we define sexual freedom in a way that allows us to go further than either just defending a wide range of sexual practices or just defending everyone's equal right to domesticity? In tackling this task, it is not clear to me that 'the claims of bodies, pleasures, and knowledges' that Foucault promotes equip us terribly well.

9 Foucault 1980, p. 11.

10 See D'Emilio and Freedman 1997, pp. 3, 5, 22–5, 27; Gay 1999; Herzog 2011, pp. 67–72.

11 Rubin 2011, p. 164.

12 D'Emilio 2002, p. 62.

13 Foucault 1978, pp. 6–7, 157.

Here, I think, Marcuse's work is of great value, in as much as Marcuse has a critique not only of simple repression but also of what he calls 'repressive desublimation'. His understanding of repressive desublimation is based on the way he synthesizes Freud's theory of sexual repression with a Marxist understanding of oppression and liberation. In doing so, he sets out to do justice to the radical implications of Freud's theory. He goes further than anyone had before in linking the psychological repression that Freud had theorized to the social and political repression that Karl Marx had focused on. The two are in fact linked: in Freud, as in Marx, repression is the result of forces beyond any one person's control or comprehension. But Marcuse is unique in the way he starts from the terms of Freud's own system and turns it inside out.

In tension with the popular view of Freud as an advocate of less sexual repression, Marcuse agrees with Freud that no functioning society is compatible with the immediate gratification of all human impulses. But he argues that Freud confused socially necessary self-restraint, above all in a technologically developed economy, with what he calls 'surplus-repression': the 'restrictions necessitated by social domination' above and beyond what is needed to sustain society as such. While people need to be induced to sublimate their desires in the interests of a coherent social response to the 'brute *fact* of scarcity', Marcuse writes, far more sublimation is required now by the 'specific *organization* of scarcity' demanded by alienated labour under capitalism.<sup>14</sup>

Repressive desublimation is for Marcuse the paradoxical proof that today most sexual repression is needless. Capitalism has reached a point where it has to some extent to stimulate desire, in specific forms conducive to profitable production, rather than simply stifle it. But this desublimation is repressive, and the satisfaction peculiarly unsatisfying, because it is forced into narrow channels of acquisition and performance. It goes together with the 'de-erotisation' of the environment, because free-floating erotic energy is in systemic terms wasted as long as it does not lead people to purchase or perform. The result is the reduction of erotic pleasure to the mere pursuit of orgasms. If only human needs could be satisfied without the cycle of alienated labour, payment, purchase and performance, Marcuse believes, far less erotic energy would need to be either repressed or channelled towards profitable activity. Instead the liberated erotic energy of non-genitally-obsessed 'polymorphous perversity' could infuse a wide panoply of human relations.<sup>15</sup>

There are weaknesses in Marcuse's work. For example, he conceives of eroticism (in Rosemary Hennessy's words) as 'a universal energy that exists prior to or outside of social life'.<sup>16</sup> And he fails to explore the historically variant forms sexuality takes in response to changing economic and gender relations. Simply assuming an instinctual sexuality that could be liberated from the constraints of class domination, he leaves unresolved the question of just what should be liberated.

Today we are better equipped to understanding the changing forms desire takes, thanks to work of generations of historians of sexuality since Marcuse's time. And Foucault can help us gain a more sophisticated understanding of the multiform sub-

14 Marcuse 1966, p. 34–6.

15 Marcuse 1966, pp. 211, 155.

16 Hennessy 2000, p. 44.

stance of sexual desires and acts. Precisely because Foucault is suspicious of accounts that derive the contours of sexual life from political and economic structures, he emphasises the importance of the micro-level, of the subtle exchanges and gradations of power in sexuality, and of the pluriformity of sexual desires and practices. I think this emphasis on the micro-level provides a useful corrective to the big picture Marcuse paints.

But as Jeffrey Weeks has noted, Marcuse is unrivalled in the clarity of his recognition that the ‘political moment ... can be of key importance in nuancing the regulation of sexuality’.<sup>17</sup> Here Marcuse is superior to either Rubin or Foucault. Foucault’s conception of power, for example, which he believed was inherent in any form of economy, knowledge or sex, led him to neglect the importance of class and state power in shaping and constraining sexuality. ‘Power comes from below’, he writes; that is, ‘there is no binary and all-encompassing opposition between rulers and ruled at the root of power relations’. While he accepts that the power relations in workplaces, families and other groups crystallise ‘wide-ranging effects of cleavage’, he asserts, ‘[m]ajor dominations are [only] the hegemonic effects that are sustained by all these confrontations’.<sup>18</sup> For Foucault, therefore, any major shifts in power structures are ultimately the result, not of their own internal dynamics or of collisions between them, but simply of an accumulation of small-scale convergences and shifts. He ignores the fact that power on contemporary sexual battlegrounds like the military and tax departments (which I mentioned earlier) come very much from above. And even in more subtle situations, Foucault’s approach seems almost designed to rule out the insights into sexual constraint that seem so useful in Marcuse.

In Marcuse’s view of repressive desublimation, a man who, for example, buys a pornographic magazine is sexually unfree in so far as his libido has been channelled by the power structures of his society into a form that is conducive to capital accumulation by the publishing company, and that perpetuates the distorted relations that the magazine reproduces. In a liberated society as Marcuse conceives it, the man could instead infuse a broad array of social relations with that erotic energy, not focusing them narrowly on the models’ sexual attributes or on the sexual acts he fantasises performing with them. For Foucault, by contrast, since he argues that power comes from below, the man, the models and the photographers themselves are the ultimate source of the gender and sexual norms crystallised in the magazine, which could only be changed by an accretion of micro-level changes. The conception of freedom and the possible scope for freedom in this paradigm seem to me far more limited than in Marcuse’s.

This makes clear why we need not only a conception of sexual freedom that is positive as well as negative – that values not only people’s capacity to gratify their immediate desires but also their success in achieving happiness – but also a conception that encompasses all the different forms of freedom, psychic, cultural, social and economic as well as legal, political and sexual in the narrowest sense. By this standard, Marcuse’s vision has the most to offer.

I also think that Marcuse’s multidimensional conception of freedom equips us better to go in search of sexual relationships that are more fulfilling and thus more

<sup>17</sup> Weeks 1981, p. 15.

<sup>18</sup> Foucault 1978, p. 94.



truly free. If we can only give real consent to relationships that adequately express our genuine interests in sex, then our relationships need to serve a pursuit of pleasure that involves more than just the gratification of a superficial impulse, or a quest for intimacy that does more for us than just help us get up for work in the morning. Sexual pleasure and intimacy need not be founded on the 'all-embracing love' that Kollontai critiqued; they can be based on friendship, caring or comradeship, which some people today call polyamory. But their potential role as parts of truly free lives depends on our ability to weave desire into a wider fabric of social bonds and endeavours.

In short, we need a radical definition of the substance of freedom, elements of which can be taken from Rubin, Foucault and Marcuse. Drawing selectively on the best of their work, we can intransigently combat the repression of sexualities and at the same time resist the many more subtle techniques by which power incites, manipulates and distorts sexualities. We can welcome the diversity of bodies and pleasures, without viewing diversity as the be-all-and-end-all of freedom. And we can be sensitive to the ways power is deployed even in personal relations, while understanding the ultimately determinant role of global power structures in setting the parameters of unfreedom and of freedom.

## References

- Berlin, Isaiah, 1969. 'Two Concepts of Liberty', in Isaiah Berlin, *Four Essays on Liberty*, Oxford: Oxford University Press.
- D'Emilio, John, 2002. *The World Turned: Essays on Gay History, Politics, and Culture*, Durham, NC: Duke University Press.
- D'Emilio, John and Estelle B. Freedman, 1997. *Intimate Matters: A History of Sexuality in America*, Chicago: University of Chicago Press.
- Foucault, Michel, 1973. *The Order of Things: An Archaeology of the Human Sciences*, New York: Vintage Books.
- 1980. *The History of Sexuality, Volume 1: An Introduction*, translated by Robert Hurley, New York: Pantheon.
- Gay, Peter, 1999. *The Bourgeois Experience: From Victoria to Freud, Volume 1: The Education of the Senses*, New York: W.W. Norton.
- Hennessy, Rosemary, 2000. *Profit and Pleasure: Sexual Identities in Late Capitalism*. New York: Routledge.
- Herzog, Dagmar, 2011. *Sexuality in Europe: A Twentieth-Century History*, Cambridge: Cambridge University Press.
- Kollontai, Alexandra, 1978. *Selected Writings*, translated by Alix Holt, Westport: Lawrence Hill and Company.
- Marcuse, Herbert, 1964. *One-Dimensional Man: Studies in the Ideology of Advanced Industrial Society*, Boston: Beacon Press.
- 1966. *Eros and Civilization: A Philosophical Inquiry into Freud*, Boston: Beacon Press.

- Rubin, Gayle, 2011. *Deviations: A Gayle Rubin Reader*, Durham, NC: Duke University Press.
- Sears, Alan, 2006/7. 'Lean on Me? The Falling Rate of Friendship', *New Socialist*, 59, pp. 36–7.
- Weeks, Jeffrey, 1981. *Sex, Politics and Society: The Regulation of Sexuality since 1800*, London: Longman.
- 2007. *The World We Have Won: The Remaking of Erotic and Intimate Life*, London: Routledge.